

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No 3/ER/ECI/ LET/FUNC/JUD/SDR/2016

Dated: 7th September, 2016

To,

The Chief Electoral Officers
of all States & Union Territories.

Subject: - Storage and supply of CCTV recordings- regarding.

Sir/Madam,

There are instructions of the Commission regarding recording of various stages of election process, like nomination of candidates, scrutiny, withdrawal of candidatures, polling and counting process etc., by videography/CCTV. For retention of the recorded version in such cases, the Commission has directed that such recordings shall be kept in the safe custody of the District Election Officer till the expiry of 45 days from the date of declaration of result of the election concerned. If anyone applies for copies of such recordings, during the said period of 45 days, copy may be made available to him under sub-rule (2) of Rule 93 on payment of fee of Rs. 50 per CD (fees as prescribed under Right to Information Rules, 2012). Only those applications that are submitted within 45 days from the date of declaration of the result of the election shall be entertained for supply of copy.

2. As regards the video recordings of election campaign activities of candidates and political parties made by the election expenditure monitoring teams, flying squads, SSTs, etc. the recorded versions there of shall be kept in the custody of the District Election Officer till the expiry of 8 months from the date of the declaration of result of the election. During this period, it would be open to any person to seek copy of the recording concerned, and in such cases, copy may be provided on payment of Rs. 50/- per CD.

3. On expiry of the prescribed period of 45 days or 8 months, as the case may be, after declaration of result of election, it should be ascertained whether any Election Petition or any other petition/complaint, etc., has been filed in respect of the election concerned or pertaining

to electoral offence etc., in which the video recording could be relevant. In case no Election Petition or any other petition etc., is pending, the CCTV/video recording should be destroyed after following the usual procedure prescribed for the purpose.

4. If there is an election Petition filed in respect of the election or any other petition, etc., in any Court in respect of which the recording would be relevant, then the recorded version shall be retained in safe custody of DEO till the disposal of such matter so that the same would be available for production before the Court, in the event the court summons the same.

5. These instructions may be brought to the notice of all DEOs and other election authorities, including Returning Officers for elections to Council of States and States Leg. Councils. This may also be communicated to the political parties based in the State/UT.

Kindly acknowledge receipt.

Yours faithfully,



(N.T. Bhutia)
Under Secretary